

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BRUCE EDWARD QUINN BROWN,

Defendant-Appellant.

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UNPUBLISHED

February 23, 1999

No. 198573

Muskegon Circuit Court

LC No. 95-038141 FC

Before: Markman, P.J., and Bandstra and J. F. Kowalski\*, JJ.

MEMORANDUM.

Defendant was waived from the juvenile court to the circuit court on a charge of armed robbery, MCL 750.529; MSA 28.797. Defendant pleaded guilty as charged and was sentenced to five to thirty years' imprisonment. Defendant appeals by leave. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not impose sentence based on a local sentencing policy and, hence, did not erroneously limit its sentencing discretion. *People v Chapa*, 407 Mich 309, 311; 284 NW2d 340 (1979). Although the court did disparage the sentencing guidelines as "heavily weighted with the Detroit liberal attitude," the court nevertheless imposed a sentence within the guidelines' recommended range and expressly indicated on the record its reliance on the guidelines' recommendation. Accordingly, the court's exercise of its sentencing discretion is consistent with the stated purpose of the sentencing guidelines which is to seek standardized sentencing on a statewide basis. *People v Schnepf*, 185 Mich App 767, 770-772; 463 NW2d 183 (1990).

Defendant has failed to state a cognizable appellate claim with regard to the sentencing guidelines in the absence of a challenge to the proportionality of his sentence. *People v Mitchell*, 454 Mich 145, 177; 560 NW2d 600 (1997).

Finally, defendant has failed to convince us that there is a reasonable probability that the results would have been different had defense counsel pursued an appeal of the juvenile court's

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\* Circuit judge, sitting on the Court of Appeals by assignment.

waiver decision and, therefore, that defendant received the ineffective assistance of counsel. *People v Messenger*, 221 Mich App 171, 181; 561 NW2d 463 (1997).

Affirmed.

/s/ Stephen J. Markman

/s/ Richard A. Bandstra

/s/ John F. Kowalski